

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION
No. 7:20-CV-00064-D

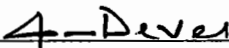
WHITLEE WILLIAMS,)	
Plaintiff,)	
)	
)	ORDER APPROVING ATTORNEY
KILOLO KIJAKAZI,)	FEES PURSUANT TO 42 U.S.C. § 406(b)
Acting Commissioner of Social Security,)	
)	
Defendant.)	

Plaintiff's counsel filed a motion for approval of attorney's fees under section 206(b) of the Social Security Act, 42 U.S.C. § 406(b), in the amount of \$39,921.73. Attorney's fees under section 206(b) are paid from past-due benefits awarded to a successful claimant. 42 U.S.C. § 406(b). Plaintiff has previously been awarded attorney's fees under the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412, in the amount of \$13,400.00 (\$7,300.00 + \$6,100.00).

Defendant filed a response, stating that under *Gisbrecht v. Barnhart*, 535 U.S. 789 (2002), it is the duty of the Court to determine a reasonable fee.

It is ORDERED that Plaintiff's counsel be awarded fees under 42 U.S.C. § 406(b) in the amount of \$39,921.73, and refund to Plaintiff the smaller award (\$13,400.00) between this amount and the EAJA award.

SO ORDERED. This 22 day of June, 2023.



JAMES C. DEVER III
United States District Judge